

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



in re application of

Docket No: Q75941

Kazuhiro OMORI, et al.

Appln. No.: 10/600,358

Group Art Unit: 2831

Confirmation No.: 7096

Examiner: Nguyen T. Ha

Filed: June 23, 2003

For: NIOBIUM POWER FOR CAPACITOR, SINTERED BODY USING THE POWER AND CAPACITOR USING THE SAME

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

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WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: March 8, 2004

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Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, SHOWA DENKO K.K., represents that the petitioner, SHOWA DENKO K.K. is the owner of the entire right, title and interest of U.S. Application No. 09/842,627, filed on April 27, 2001 for NIOBIUM POWDER FOR CAPACITOR, SINTERED BODY USING THE POWDER AND CAPACITOR SUING THE SAME by virtue of an Assignment from all of the inventors thereof executed on April 23, 2001, recorded on April 27, 2001 at Reel 011765, Frame 0865, now issued as U.S. Patent 6,643,120 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/600,358 by virtue of an Assignment from all of the inventors thereof executed on April 23, 2001, recorded on April 27, 2001, at Reel 011765, Frame 0865.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/600,358 which would extend beyond the expiration of the full statutory term

**Terminal Disclaimer**  
**U.S. Patent Application Ser. No.: 10/600,368**

as presently shortened by any terminal disclaimer of U.S. Patent 6,643,120, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/600,358 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,643,120 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/600,358, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/600,358 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/600,358 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,643,120 in the event that U.S. Patent 6,643,120 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

Respectfully submitted,



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